

| L Number | Hits | Search Text | DB | Time stamp |
|----------|-------|--|---|------------------|
| 6 | 17 | (("3540028") or ("3398516") or ("3967437") or ("5072577") or ("5455769") or ("5653292") or ("5856743") or ("6322404")).PN. | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 12:51 |
| 7 | 0 | ((2002/0069628) or (2003/0020466)).CCLS. | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 12:56 |
| 8 | 37 | harvester and feeder and (sensor with (rotation or rotatable)) | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 13:01 |
| 9 | 0 | (sensor with (rotation or rotatable)) same housing same braket | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 13:02 |
| 10 | 0 | (sensor with (rotation or rotatable)) same housing same braket same shaft | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 13:02 |
| 11 | 1 | (sensor with (rotation or rotatable)) same braket same shaft | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 13:02 |
| 12 | 398 | (sensor with (rotation or rotatable)) same bracket same shaft | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 13:02 |
| 13 | 177 | ((sensor with (rotation or rotatable)) same bracket same shaft) and housing | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 13:06 |
| 14 | 10290 | rotational with position with sensor | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 13:06 |
| 15 | 1346 | (rotational with position with sensor) and mounting and housing | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 13:07 |
| 16 | 8 | ((rotational with position with sensor) and mounting and housing) and harvester | USPAT; US-PGPUB; EPO; JPO; DERWENT | 2004/09/27 13:07 |
| 17 | 28 | ("3611286" "3886718" "3896899" "4064945" "4171606" "4180133" "4199925" "4211057" "4332126" "4437295" "4567719" "4594940" "4607716" "4776153" "4928890" "5090184" "5115628" "5189806" "5195309" "5463854" "5471823" "5471825" "5473870" "5535577" "5549166" "5713190" "5957218" "6041583").PN. | USPAT | 2004/09/27 13:13 |
| 18 | 3 | ("4171606" "4304089" "4332126").PN. | USPAT | 2004/09/27 13:28 |
| 19 | 6 | ("3698164" "3722193" "3728851" "3851451" "4136508" "4171606").PN. | USPAT | 2004/09/27 13:29 |
| 20 | 17 | 4332126.URPN. | USPAT | 2004/09/27 13:30 |
| 21 | 2 | ("3851451" "3975890").PN. | USPAT | 2004/09/27 13:48 |

Office Action Summary

Application No.

10/658,303

Applicant(s)

CHIEN ET AL.

Examiner

Allen J. Flanigan

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 3753

The incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference (Top of page 1 of the specification). The amendment must be accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of the same material incorporated by reference in the referencing application. See *In re Hawkins*, 486 F.2d 569, 179 USPQ 157 (CCPA 1973); *In re Hawkins*, 486 F.2d 579, 179 USPQ 163 (CCPA 1973); and *In re Hawkins*, 486 F.2d 577, 179 USPQ 167 (CCPA 1973).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-8, 11, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Hess.

See Figs. 3-6 of Hess. Regarding the claimed first surface for contacting a heat source, note surfaces 5 of Hess. Note lines 39-40 of column 5 of Hess regarding claim 3.

Claims 4 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Serizawa et al.

Note lines 33-35 of column 3 of Serizawa et al.; see also Figs. 17-19 regarding method claim 7 (from which 9 depends).

Claim 10 is rejected under 35 U.S.C. 102(e) as being anticipated by Mochizuki et al.

See lines 25-49 of column 5 of Mochizuki et al.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Woerner et al. and Armstrong et al. are cited to show that it is known to provide aluminum fins on copper base plates.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen J. Flanigan whose telephone number is (703) 308-1015. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Scherbel can be reached on (703) 308-1272. The

Art Unit: 3753

fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "allen J. Flanigan". The signature is written in a cursive, flowing style.

Allen J. Flanigan
Primary Examiner
Art Unit 3753

AJF